

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re	: Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	: 08-13555 (JMP)
Debtors.	: (Jointly Administered)
	:
	:
-----X	

DECLARATION AND DISCLOSURE STATEMENT OF THOMAS BATHURST

THOMAS FREDERICK BATHURST QC declares and says:

1. I am a Queen's Counsel, located at Sixth Floor,
Selborne/Wentworth Chambers, 174 Phillip Street, Sydney, New South Wales,
Australia.
2. Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors
in the above-referenced chapter 11 cases, as debtors and debtors in possession (together,
the "Debtors" and, collectively with their non-debtor affiliates, "Lehman"), have
requested that I provide legal services to the Debtors, including advising on aspects of
law and strategy for preparation of case, and appearing as an advocate on behalf of
LBHI in relation to proceedings to which LBHI is a defendant in the Federal Court of
Australia (proceedings no. NSD 538 of 2009), and I consent to provide such services.
3. I may have performed services in the past and may perform
services in the future, in matters unrelated to these chapter 11 cases, for persons that are
parties in interest in the Debtors' chapter 11 cases. As part of my customary practice, I

am retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. I do not perform services for any such person in connection with these chapter 11 cases. In addition, I do not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

4. I have not agreed to share or will share any portion of the compensation to be received from the Debtors with any other person.

5. I do not, insofar as I have been able to ascertain, hold or represent any interest adverse to the Debtors or their estates.

6. The Debtors owe me \$Nil for prepetition services.

7. I am conducting further inquiries regarding my retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if I should discover any facts bearing on the matters described herein, I will supplement the information contained in this Declaration.¹

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: SYDNEY, NEW SOUTH WALES
24 AUGUST, 2009



T F BATHURST QC

¹ If necessary.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
In re : Chapter 11 Case No.
:
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (JMP)
:
Debtors. : (Jointly Administered)
:
:
-----X

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY LEHMAN
BROTHERS HOLDINGS INC. OR ANY OF ITS DEBTOR AFFILIATES (collectively,
the "Debtors")

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.
RETURN IT FOR FILING BY THE DEBTORS, TO:

Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153
Attn: Jennifer Sapp
Christopher Stauble

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as
appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address:

T F Bathurst QC of Sixth Floor, Selborne/Wentworth Chambers, 174

Phillip Street, Sydney, New South Wales, Australia

2. Date of retention: 8 May 2009

3. Type of services provided (accounting, legal, etc.):

Legal services as detailed in paragraph 4 below.

4. Brief description of services to be provided:
Advise on aspects of law and strategy for preparation of case, and appear as an advocate on behalf of Lehman Brothers Holdings Inc ("LBHI") in relation to proceedings to which LBHI is a defendant in the Federal Court of Australia (proceedings no. NSD 538 of 2009).
5. Arrangements for compensation (hourly, contingent, etc.)
Hourly
 - (a) Average hourly rate (if applicable):
AUD\$1,100.00 (including goods and services tax)
 - (b) Estimated average monthly compensation based on prepetition retention (if you were employed prepetition):
N/A
6. Prepetition claims against the Debtors held by you:
Amount of claim: \$N/A
Date claim arose: N/A
Source of Claim: N/A
7. Prepetition claims against the Debtors held individually by any professional employee of you:
Name: N/A
Status: N/A
Amount of Claim: \$N/A
Date claim arose: N/A
Source of claim: N/A

8. Stock of the Debtors currently held by you:

Kind of shares: None

No. of shares: N/A

9. Stock of the Debtors currently held individually by any professional employee of you:

Name: N/A

Status: N/A

Kind of shares: N/A

No. of shares: N/A

10. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates with respect to the matters on which you are to be employed.

None

11. Name of individual completing this form:

T F Bathurst QC